

REMARKS

Applicants respectfully request consideration of the subject application. This Response is submitted in response to the Office Action mailed March 22, 2007. Claims 1-45 are pending. Claims 1-5, 7, 9, 11, 12, 14, 16-19, 21, 22, 24-27, 29, 30, 34-39 and 41-45 are rejected and 6, 8, 10, 13, 15, 20, 23, 31-33, 38 and 40 are objected to. In this Amendment, claims 17-19 and 41-42 have been amended. No new matter has been added.

35 U.S.C. § 112 Rejections

The Examiner has rejected claims 17-19, 24, 41 and 42 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 17 – 19 and 41 have been amended to clarify the subject matter being claimed. In the aforementioned claims, it is now stated that the four mutually perpendicular side walls are extended to form the intermediate column in the enclosure. Support for this can be found at page 6, line 13 of the specification. Because claim 24 depends on claim 18, claim 24 has been correspondingly clarified with the amendment made to claim 18. Claim 42 has been amended to correct the antecedent objection.

Applicants, accordingly, respectfully request withdrawal of the rejections under 35 U.S.C. § 112.

35 U.S.C. §§ 102 and 103 Rejections

The Examiner has rejected claims 1-5, 7, 11, 12, 14, 21, 27, 29, 30, 35 and 38 under 35 U.S.C. § 102(b) as being anticipated by Shaper (U.S. Patent No.: 3,327,808, hereinafter "Shaper"). The Examiner has rejected claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Shaper, claim 22 under 35 U.S.C. § 103(a) as being unpatentable over Shaper in view of Button (U.S. Patent No.: 5,533,132, hereinafter "Button"), claims 16 and 34 under 35 U.S.C. § 103(a) as being unpatentable over Shaper in view of Takenaka (U.S. Patent No.: 6,078,676, hereinafter "Takenaka"), claims 25, 26, 36 and 37 under 35 U.S.C. § 103(a) as being unpatentable over Shaper in view of Tanaka, et al. (U.S. Patent No.: 5,025,474, hereinafter "Tanaka"), claims 39, 41 and 45 under 35 U.S.C. § 103(a) as being unpatentable over Poling, et al. (U.S. Patent No.: 7,039,212, hereinafter "Poling") in view of Button and claims 43 and 44 under 35 U.S.C. § 103(a) as being unpatentable over Poling in view of Button.

Applicants do not admit Poling is prior art and reserve the right to swear behind Poling at a later time. Nevertheless, Applicants submit the pending claims are patentable over the cited art.

Claims 1 – 5, 7, 9, 11, 12, 14, 16, 21, 22, 25-27, 29, 30, 35 and 36-38

Shaper does not teach or suggest an acoustic extension being mounted to an enclosure, as claimed in independent claims 1 and 29. Figure 3 of Shaper shows a longitudinal cross sectional partition of a speaker system. The acoustic extension of Shaper is part of the speaker system and is not mountable. As such, a user is unable to mount an acoustic extension for an operative connection to an interior of a speaker enclosure with the speaker disclosed in Shaper.

One of skill in the art would not modify Shaper to arrive at the presently claimed invention because there is no teaching or suggestion in Shaper to separate an acoustic extension from a main enclosure. Shaper describes improving bass response in speakers with moderate sized cavities (column 1, line 9 – 11). Separating an acoustic extension from a main enclosure would be contrary to the disclosure/teaching of Shaper, because having a separate acoustic extension would not be desirable in instances where speakers with moderate sized cavities are required.

Thus, Shaper fails to teach or suggest all of the limitations of independent claims 1 and 29.

Claims 39, 41 and 43-45

The examiner submits Figure 3 of Button and the related disclosure teaches most of the features of claim 39. Applicants disagree. Claim 39 requires the acoustic extension be mounted to the enclosure externally, and not just located at an external portion of the enclosure as shown in Figure 3 of Button. Mounting the acoustic extension to the enclosure internally affects how the acoustic extension is operatively connected to the interior of the enclosure. Button fails to teach or suggest as claimed in independent claim 39: separating the acoustic extension from the main enclosure; and reattaching or remounting the acoustic extension. Poling also fails to teach or suggest the above limitation.

Thus, the cited art fails to teach or suggest all of the limitations of independent claim 39.

Thus, the cited art fails to teach or suggest all of the limitations of independent claims 1, 29 and 39. Claims 2-28, 30-38 and 40-45 depend, directly or indirectly, from one of the foregoing independent claims. Applicants, accordingly, respectfully request withdrawal of the rejections under 35 U.S.C. § 102 and § 103.

Allowed/Allowable Subject Matter

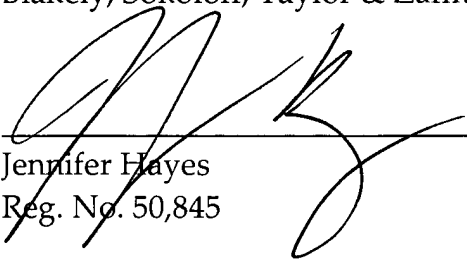
The Examiner indicated that claims 6, 8, 10, 13, 15, 20, 23, 28, 31-33 and 40 would be allowable if rewritten in independent form, including all the limitations of the base claim and any intervening claims. Applicants thank the Examiner for the indicated allowability of claims 6, 8, 10, 13, 15, 20, 23, 28, 31-33 and 40.

Applicants respectfully submit that the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Jennifer Hayes at (408) 720-8300.

Please charge any shortages and credit any overages to Deposit Account No. 02-2666. Any necessary extension of time for response not already requested is hereby requested. Please charge any corresponding fee to Deposit Account No. 02-2666.

Respectfully submitted,
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